

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANISHA MEHTA,

Plaintiff,

v.

DLA PIPER LLP,

Defendants,  
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Case No. 1:23-cv-04757-AT

**[PROPOSED] AFFIDAVIT OF KELLY NEIMAN**

I, Kelly Neiman, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a resident of the United States and am over the age of 21. The facts set forth herein are true and of my personal knowledge. If called upon to testify, I could and would testify competently thereto.

2. I am employed as the Chief Human Resources Officer at DLA Piper LLP (US) (“DLA Piper” or the “Firm”).

3. I have served as DLA Piper’s Chief Human Resources Officer since January 2013.

4. As Chief Human Resources Officer, I am familiar with DLA Piper’s Human Resources complaint processes.

5. As DLA Piper’s Chief Human Resources Officer, I work closely with the Firm’s Office of General Counsel (“OGC”) when OGC receives personnel complaints from current DLA Piper employees.

6. From October 21, 2017 through October 21, 2022, there were two associates who, after their employment had been terminated, raised allegations of pregnancy discrimination for the

first time in connection with their counsel's review of the Firm's proposed separation agreement. In both cases, the allegations were made by the former associates' counsel to the Firm's OGC. No such allegations had been previously raised internally during the associates' employment.

7. On January 13, 2021, the Firm notified a corporate associate affiliated with DLA Piper's Baltimore office ("Associate A") that her employment would be terminated due to poor performance.

8. The Firm had provided Associate A with 19 weeks of fully paid pregnancy-related leave, from July 6, 2020, to November 16, 2020.

9. After Associate A was notified of her separation, the Firm's OGC was contacted by her counsel on January 22, 2021, alleging gender, pregnancy, and maternity discrimination.

10. Associate A worked in a different practice group than Plaintiff, with different leadership and decisionmakers. Accordingly, neither Gina Durham nor Keith Medansky were involved in the decision to end Associate A's employment, nor did the Firm make them aware of the complaint that was raised by her counsel after she was notified of her termination.

11. Associate A did not file a charge of discrimination with the EEOC or other administrative agency.

12. Associate A did not file a lawsuit.

13. Associate A executed a confidential separation agreement with the Firm on February 5, 2021.

14. On March 2, 2021, the Firm notified a tax associate affiliated with DLA Piper's Boston office ("Associate B") that her employment would be terminated due to poor performance.

15. The Firm provided Associate B with 18 weeks of fully paid pregnancy-related leave, from December 1, 2017, to April 6, 2018. The Firm provided Associate B another 18 weeks of fully paid pregnancy-related leave, from February 18, 2020, to June 22, 2020.

16. After Associate B was notified of her separation, the Firm's OGC was contacted by her counsel on March 8, 2021, alleging that Associate B had notified the Firm of her intent to take future parental leave and claiming pregnancy, sex, and parental/caregiving status discrimination.

17. Associate B worked in a different practice group than Plaintiff, with different leadership and decisionmakers. Accordingly, neither Gina Durham nor Keith Medansky were involved in the decision to end Associate B's employment, nor did the Firm make them aware of the complaint that was raised by her counsel after she was notified of her termination.

18. Associate B did not file a charge of discrimination with the EEOC or other administrative agency.

19. Associate B did not file a lawsuit.

20. Associate B executed a confidential separation agreement with the Firm on April 19, 2021.

21. Aside from Plaintiff's complaint that precipitated this lawsuit, the complaints from Associate A and Associate B are the only two other complaints of alleged pregnancy discrimination that have been made by Firm lawyers against the Firm between October 21, 2017 and October 21, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this \_\_\_\_ day of May, 2024, in \_\_\_\_\_, \_\_\_\_.

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Kelly Neiman